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May 24, 2010

John Flynn
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

**California's 20 Million Minorities Are Concerned
About the Proposed Comcast/NBC Merger**

Dear Mr. Flynn,

The Greenlining Institute has been scrutinizing the proposed merger between Comcast and NBC Universal since it was announced last year, and our analysis makes us apprehensive of any claims of benefits that will arise from the transaction.

Our review of Comcast's corporate practices leaves us with serious concerns about the negative implications that a vertically integrated media corporation will have on the nation's communities hardest hit by the economic downturn. Moreover, Greenlining is concerned about the ripple effects of this merger and how it will likely spur a wave of more consolidation in the industry, which ultimately hurts diversity, localism, and competition

In addition to the criticism expressed by legislators, regulators, consumer advocates, and industry analysts, Greenlining believes that the proposed merger in its current form will adversely impact the economic situation of low-income communities while also handicapping their ability to contribute and consume media. As such, we have discussed these issues at length in meetings with legislators, as well as government officials at the Department of Justice and several commissioners at the FCC.

We would greatly appreciate the opportunity to also talk to you regarding these serious concerns on how the proposed merger will impact traditionally underserved communities.

About Greenlining

As a multi-ethnic, public policy, research and advocacy institute based in California, the Greenlining Institute's efforts include protecting consumer interests while partnering with some of the nation's largest companies in planning socially and economically viable futures. Greenlining's coalition includes three of the largest African-American churches in the state, the California Hispanic Chamber of Commerce, the California Black Chamber of Commerce, one of the nation's

largest pan-ethnic Asian organizations, and dozens of community-based organizations stretching from San Diego to Sacramento. Over the last 17 years, Greenlining and its coalition have successfully partnered with the nation's largest banks, utilities, and telecom companies to advance mutual goals of profitability and diversity. It is our hope that the same can be achieved with Comcast.

A Jobless Recovery and a Jobless Merger?

As Americans continue to struggle with widespread unemployment and government officials scramble to create critical job stimulus, the American public has reacted with a visceral feeling of dread to the proposed Comcast-NBCU merger and the potential for more layoffs. In this context, Comcast CEO Brian Roberts' reassurance that the merger will lead to 'no massive layoffs' appears painfully insensitive to the plight of working Americans.

Across America, low-income communities of color face disproportionately higher unemployment rates. Consequently, lawmakers have expressed their strong criticism for corporate actions that threaten jobs in such fragile economic times. With concerns of a 'jobless recovery' on everyone's mind, the feeble guarantees presented by Comcast and NBCU beg the question of the need for a jobless merger.

Rates Rise, But Poor Service Remains

Comcast's poor consumer protection record adds to the public's apprehension towards handing over the reins of a major production company to the nation's largest cable operator. In 2009, a Forrester Research survey of customer satisfaction ranked Comcast at number 105 out of 113 companies. Comcast's customers regularly face rising rates, attributed to increases in the value of services. Such crippling rate increases create a barrier of entry for low-income consumers to crucial media, exacerbating the effects of digital inequality.

Meanwhile, higher rates have been accompanied by a declining quality of service, with frustrating customer protection and diminishing choice over content. While we stand open to substantive commitments for change, Greenlining remains anxious of a future in which Comcast gains greater control over the media industry while continuing business as usual in regards to consumer protection.

Disregard for Contracting with Diverse Businesses

In an economic downturn that has disproportionately impacted low-income communities of color, Comcast has not demonstrated adequate commitment to equitable economic recovery by contracting with Diverse Business Enterprises. Supplier diversity commitments ensure that large corporations and small businesses can realize and maximize profits together. Without such commitments, the economic recovery will leave behind the nation's traditionally underserved communities, severely jeopardizing the diversity that is crucial in the media industry.

In California, the Public Utilities Commission's General Order 156 requires all utilities and telecoms to report data on their supplier diversity. While AT&T, Verizon, and Sprint all reported in 2009, Comcast conspicuously abstained from submitting supplier diversity numbers and only provided limited numbers in 2010. We strongly encourage Comcast to report more detailed GO 156 data as a preliminary measure. Without a strong dedication to equitable corporate practices, it remains to be seen how communities of color, and thus California, will benefit from the proposed merger.

Comcast-NBCU's Workforce Diversity Problem

Although Comcast and NBCU have promised that the proposed merger will enable greater product quality and innovation, both companies' poor history regarding diversity make such assurances sound hollow. Over the past month, legislators repeatedly asked questions about the absence of diversity in programming, contracts, and jobs. With only one woman and one person of color on Comcast's Board of Directors, Greenlining is concerned with the lack of minority leadership involved in the proposed merger. As a corporation that will wield enormous influence in the media market, a lack of diverse voices will prevent Comcast-NBCU from incorporating minority media into its workforce, programming, and contracting policies.

Comcast-NBCU's Content Diversity Problem

This merger is of particular consternation for communities of color because of its potentially adverse impact on minority media ownership and ethnic media programming. Currently, the number of minority-owned media outlets does not even come close to representing the number of minorities in the US,¹ and Comcast's application provides nothing to demonstrate that this merger will improve content diversity any more than it would without the merger. Unfortunately, it appears that the merger will actually have a negative impact on content diversity.

In its testimony before Congress, NBC admitted that it has problems with diverse content and that it does not have any African-American programming. Despite this, NBC has not taken action to indicate that this is a high priority issue for the network. For example, NBC recently announced that it will sell its independent Spanish-language station in Los Angeles before closing its joint venture with Comcast. Moreover, NBC has been silent on any plans to improve its programming diversity since divesting one of their Spanish-language stations will exacerbate the void of content for diverse communities.

Comcast has similarly failed to provide us assurance that the merger will improve content diversity. Indeed, it appears Comcast does not take this issue seriously as

¹ For example, nearly 12% of the nation's African-American homes are in the NY city and LA markets, where there are no African American-owned stations. Nor do African Americans own stations in cities with large black populations like Detroit, Atlanta and New Orleans. African American owned stations reach just 5.3% of the African American TV households in the US.

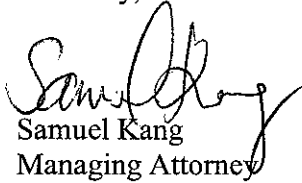
it dedicated only a handful of pages from its 135 page application to diversity issues. Further, in those few pages Comcast's commitments essentially amount to nothing more than moving Telemundo re-runs to a cable platform.

Request for Meeting

In its current form, Greenlining cannot support the proposed Comcast-NBC merger. We would greatly appreciate an opportunity to meet with you to discuss our concerns about the merger and ways in which the FCC can show a greater dedication towards traditionally underserved communities.

We will follow up to set up a convenient meeting time to discuss these issues. In the mean time, please do not hesitate to contact Samuel Kang in advance at (510) 926-4004 or samuelk@greenlining.org.

Sincerely,


Samuel Kang
Managing Attorney


Stephanie Chen
Legal Counsel


Jean Chung
Legal Fellow

Cc: Chairman Julius Genechowski
Commissioner Meredith Attwell Baker
Commissioner Michael J. Copps
Commissioner Mignon Clyburn
Commissioner Robert M. McDowell
William T. Lake, FCC Media Bureau Chief